

FILED

OCT 23 2001

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF IOWA

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA
DAVENPORT DIVISION

KENNETH MICHAEL BOWEN and
NANCY R. BOWEN,

Plaintiffs,

v.

BURLINGTON NORTHERN AND
SANTA FE RAILWAY COMPANY,
a Delaware Corporation,

Defendant.

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3:00-CV-90009

VERDICT FORM

We find the following verdict on the questions submitted to us:

Question No. 1: Was the Defendant at fault?

Answer "Yes" or "No."

Answer: No

[If your answer is "No," do not answer any further questions.]

Question No. 2: Was the fault of the Defendant a proximate cause of any item of damage to the Plaintiffs?

Answer "Yes" or "No."

Answer: _____

[If your answer is "No," do not answer any further questions.]

Question No. 3: Was the Plaintiff Kenneth Michael Bowen at fault?

Answer "Yes" or "No."

Answer: _____

[If your answer is "No," do not answer Questions No. 4 or 5.]

Question No. 4: Was the Plaintiff Kenneth Michael Bowen's fault a proximate cause of any damage to the Plaintiff?

Answer "Yes" or "No."

Answer: _____

[If your answer is "No," do not answer Question No. 5.]

Question No. 5: Using 100% as the total combined fault of Plaintiff Kenneth Michael Bowen and Defendant, which was a proximate cause of Plaintiffs' damage, what percentage of such combined fault do you assign to the Plaintiffs, and what percentage of such combined fault do you assign to the Defendant?

Answer:	Plaintiff Kenneth Michael Bowen	_____ %
	Defendant	_____ %
	TOTAL	100%

[If you find Plaintiff to be more than 50% at fault, do not answer any further questions.]

Question No. 6: State the amount of damages sustained by the Plaintiff Kenneth Michael Bowen proximately caused by Defendant's fault as to each of the following items of damage. If the Plaintiff has failed to prove any item of damage, or has failed to prove that any item of damage was proximately caused by Defendant's fault, enter 0 for that item.

[These are to be the total amount of damages. Do not consider percentages of fault assigned to a party. If necessary, the Court will make appropriate reductions from the total amount of damages.]

1. Past medical and other related expenses: \$ _____
2. Present value of future medical and other related expenses: \$ _____
3. The reasonable value of lost wages from July 24, 1999 to date: \$ _____
4. The present value of the loss of future diminished earning capacity of Kenneth Michael Bowen: \$ _____
5. Past loss of body function (from July 24, 1999 to date): \$ _____
6. Present value of future loss of body function: \$ _____

7. Past physical pain and suffering and mental pain and suffering
(from July 24, 1999 to date): \$ _____
8. Present value of future physical and mental pain and suffering \$ _____
9. TOTAL (Add the separate items of damage) \$ _____

Question No. 7: What are the total amount of damages, if any, sustained by Plaintiff Nancy R. Bowen for each of the following items:

[These are to be the total amount of damages. Do not consider the percentage of fault, if any, assigned to Plaintiff Kenneth Michael Bowen. If necessary, the Court will make appropriate reductions from the total amount of damages.]

1. Past loss of fellowship of her husband, referred to as spousal consortium (from July 24, 1999 to date): \$ _____
2. Present value of future loss of the fellowship of her husband, referred to as spousal consortium: \$ _____
3. TOTAL (Add the separate items of damages) \$ _____

Charles Short

Jury Foreperson